

**To:** McWhirter, Lisa[McWhirter.Lisa@epa.gov]  
**From:** Connors, Kevin C.  
**Sent:** Fri 11/15/2013 8:25:11 PM  
**Subject:** RE: nd rule book  
[NDCC publication info..pdf](#)  
[2009effectivedatesoflegislation.pdf](#)  
[or19701.pdf](#)  
[or13765.pdf](#)  
[NDIC Oil and Gas Division Statutes and Rules 2013Cover.pdf](#)

Lisa,

Please find the numerous attachments and links.

## **North Dakota Century Code:**

The attachment titled "NDCC publication info." is a scanned copy of the first few pages of the North Dakota Century Code replacement supplement.

The attachment titled "2009 effective dates of legislation" contains Senate Bill 2095 which covered geologic storage of carbon dioxide and granted regulatory authority to the Industrial Commission (became NDCC chapter 38-22. Senate Bill 2095 was passed into law and signed by Governor Hoeven on April 8, 2009. The bill became effective July 1, 2009. Senate Bill 2095 available at <http://www.legis.nd.gov/assembly/61-2009/bill-text/JQTA0100.pdf> Also see North Dakota Century Code Chapter 38-22 Carbon Dioxide Underground Storage <http://www.legis.nd.gov/cencode/t38c22.pdf?20130728223033>

## **North Dakota Administrative Code:**

I have attached signed North Dakota Industrial Commission Order No. 13765 the original rule making and Order No. 19701 the most recent amendment to the rules which meets the stringency of the Class VI rule.

Lastly I have attached the cover page to our rulebook with stating at the bottom of the page "Revised Effective April 1, 2013

The North Dakota Legislative Council publishes the North Dakota Administrative Code which is the codification of all rules of state administrative agencies, as that term is defined by North Dakota Century Code Section 28-32-02. The Administrative Code was initially published July 1, 1978. The Administrative Code is updated with quarterly changes. The Administrative Code is published in a CD-ROM version, for which subscriptions may be obtained from the Secretary of State, and an Internet version, available here. The Internet version is derived from the database prepared by the North Dakota Legislative Council.

\*\*\*\*\*Please see explanation of the publication of the North Dakota Administrative code and Article 43-05 of Title 43: <http://www.legis.nd.gov/agency-rules/north-dakota-administrative-code>

Since you asked, the way I cited NDCC and NDAC in my last published report is as follows.

N.D. Cent. Code § 38-22 (2009); N.D. Admin. Code 43-05-01 (2010; Amended 2013).

**Kevin C. Connors**

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**From:** McWhirter, Lisa [mailto:McWhirter.Lisa@epa.gov]  
**Sent:** Friday, November 15, 2013 10:48 AM  
**To:** Connors, Kevin C.  
**Cc:** Boomgaard, Craig  
**Subject:** RE: nd rule book

Hi Kevin,

I talked to several people yesterday afternoon about how to present ND's Class VI regulations to the Office of the Federal Register. There are two options (from my understanding) for me to proceed. The first one is providing a hard copy (exact photo copy of an actual rule book with title page, table of contents, and regs). The pdf you sent me has everything but the title page. If there's a page that has a publication number or copyright information, that would be helpful too. For example, if you open any textbook, the cover page has the title author, and the inside cover has the publication information (copyright date and publication number).

The second option is to request your Secretary of State to submit a letter certifying your regulations (I am trying to find a template of this letter so I know exactly what the Office of the Federal Register needs).

If you do have a hardcopy of this document, would it be possible to send me the title page and publication information? If not, then we will need to request a certification letter from your

Secretary of State. I am trying to track down a template letter so that you can use it as a guide. If we do have to go this route, do you know how long it would take to get a letter signed by your Secretary of State?

Thanks so much, and I will keep you informed of any progress!

Lisa

**From:** Connors, Kevin C. [mailto:[kconnors@nd.gov](mailto:kconnors@nd.gov)]  
**Sent:** Thursday, November 14, 2013 2:06 PM  
**To:** McWhirter, Lisa  
**Subject:** nd rule book

<https://www.dmr.nd.gov/oilgas/rules/rulebook.pdf>

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